

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gayle Dace, William Kimmerly

Application No.: 09/879,279

Group No.: 1639

Filed: June 12, 2001

Examiner: Epperson, Jon D

For: IN VITRO CAPTURE OF NUCLEIC ACIDS VIA MODIFIED OLIGONUCLEOTIDES AND MAGNETIC BEADS

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed April 7, 2005, for a second time rejecting claims 1-8, 12-15, and 18-24.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

10/11/2005 HDEMESS1 00000068 500426 09879279

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
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Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

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facsimile transmitted to the Patent and Trademark Office, (703) _____

Amy Yost
Signature

Amy Yost
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(j). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Other than a small entity	\$500.00
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Notice of Appeal fee due	\$500.00
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3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee	\$1,020.00
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If an additional extension of time is required, please consider this a petition therefor.

4. OTHER FEES DUE

Information Disclosure Fee	\$180.00
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5. TOTAL FEE DUE

The total fee due is:

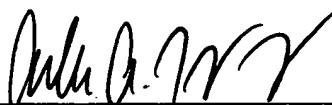
Information Disclosure fee	\$180.00
Notice of Appeal fee	\$500.00
Extension fee	\$1,020.00
TOTAL FEE DUE	\$1,700.00

6. FEE PAYMENT

Authorization is hereby made to charge the amount of \$1,700.00 to Deposit Account No. 50-0426.

A duplicate of this transmittal is attached.

Date: 10/07/2005



Signature of Practitioner

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